

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Anthony C. Izuegbunam,

Civil No. 06-0002 (MJD-JJG)

Petitioner,

v.

ORDER

R.L. Morrison,

Respondent.

This matter is before the undersigned upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, and being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Mr. Izuegbunam's petition for a writ of habeas corpus under 28 U.S.C. § 2241 (Doc. No. 1) is **GRANTED**.
2. The BOP shall consider Mr. Izuegbunam's request for placement in a halfway house by applying the discretionary criteria in 18 U.S.C. § 3621(b) and without referring to 28 C.F.R. § 570.21.
3. Mr. Izuegbunam's motion for contempt (Doc. No. 2) is **DENIED AS MOOT**.

Dated this 16th day of August, 2006.

s / Michael J. Davis
MICHAEL J. DAVIS
United States District Court Judge